



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

DATE: March 4, 2020

TO: Planning Commission

FROM: Scott Clark
Executive Secretary

SUBJECT: Rincon/Southeast Subregional Plan Amendment PA-19-02, Amendment to Map Detail #9 to Allow Residential, Office, Commercial, and Park Industrial Uses
Study Session (Ward 5)

Issue – This is a study session on a proposed amendment to the *Rincon/Southeast Subregional Plan (RSSP)* Map Detail #9 to change the land use intensity designation on the subject parcel from Urban Industrial (I) to Multifunctional Corridor (MFC) which allows residential, office commercial and park industrial uses. The application was submitted by Paul Oland of The WLB Group, on behalf of the owner of the subject parcel, Legacy Collateral Holdings, LLC. The proposed amendment site is located immediately south of I-10 and west of Wilmot Road (see *Attachment A* for location and aerial maps). If the amendment request is successful, the applicant will seek a rezoning of the parcel to Residential to allow the development of a single family residential subdivision.

Recommendation – Staff recommends that the Planning Commission set this item for a public hearing in April 2020.

Applicant's Request: The plan amendment request is to change the designation on *RSSP* Map Detail #9 for a portion of the applicant's parcel from Urban Industrial to Multifunctional Corridor (See *Attachments D and C*). The amendment site is approximately 79 acres. Of this site, approximately 16 acres are currently designated as Multifunctional corridor and 63 acres are designated as urban industrial. The proposed amendment would result in this entire parcel being designated as multifunctional corridor. An additional 7 acres adjacent to the subject site will be included in the proposed development; they are currently zoned C-2 and do not require a rezoning or plan amendment as residential uses are permitted within this zone.

Existing Zoning and Land Uses – The amendment site is vacant and currently zoned Suburban Homestead (SH).

The existing zoning immediately east of the amendment site is C-2 and is developed with a gas station, marijuana dispensary, and multiple pads for future commercial development. The zoning just south of the amendment site, across the Rodeo Wash, is Suburban Homestead (SH) and is developed with low-density single family residential. Immediately north is a Commercial (C-2) zoning district containing four parcels which would be included in the overall development. North of Interstate 10, also within a C-2 district, is another gas station, a hotel, and vacant parcels. The zoning to the west of the site is PAD-14-The Los Reales Landfill Planned Area Development (PAD) and is a City owned and operated landfill. The

entrance is located at the intersection of Los Reales Road and South Craycroft road with operating hours Monday through Saturday from 6:00 a.m. to 5:00 p.m. and closed on Sundays. The PAD, adopted in 2006, establishes various activity districts within the landfill boundary that allow for landfill and support operations. (*See Attachment D*)

Background: A previous plan amendment application was submitted in April 2003 to amend this same parcel area from Urban Industrial (I) to Multifunctional Corridor (MFC). Staff initially supported the proposed increase in residential density based on the demonstrated marketability of residential uses in the area, the limited number of complaints made by neighbors about the landfill to Environmental Services (ES), and ES's indication that the proposed residential use was not incompatible with the landfill. Planning staff later changed their recommendation from approval to denial based on results of a noise study which found significant noise from the borrow pit at the landfill and recommended sound barriers on three sides of the project. In addition, ES clarified that commercial and industrial uses were the most compatible uses for areas close to the landfill at that time. The applicant withdrew their application in 2004.

On January 9, 2007, the Mayor and Council voted 7-0 to authorize a rezoning request on the same parcel from SH to C-2 zoning to accommodate 23 structures up to two stories and 40 feet in height with a total of 500,700 square feet of retail uses. No plan amendment was needed for this rezoning as commercial zone districts are allowed in the Urban Industrial (I) density category. A time extension was requested on January 6, 2012 to allow for the completion of the rezoning conditions. The deadline for compliance with the conditions of the rezoning expired on January 9, 2017, therefore the case was closed and the SH zoning remains in effect.

Land Use Policy Direction: Policy direction is provided by the *Rincon/Southeast Subregional Plan (RSSP, 1995)* and *Plan Tucson (2013)*. Key policies are summarized below; a complete policy listing is provided as Attachment E.

Rincon/Southeast Subregional Plan (1995): The purpose of the *RSSP* is to provide land-use policy and development direction for areas that were adjacent to and eventually annexed into the City. As annexations occurred, individual Land Use Map Details were added to the plan document. The Land Use Map depicts Land Use Intensity categories that are recommended as a guide for future development decisions. Planned land use in the subregional plan is designated by a hierarchy of land use intensity categories. Unlike density, which reflects a number of units in an area, land use intensity considers a variety of factors that affect land use, including the type of activity, density, associated vehicle trips and impact on infrastructure and services. The Multifunctional Corridor Urban Intensity Category has a purpose of designating areas for the integrated development of complementary uses along major transportation corridors. The Urban Industrial Urban & Rural Intensity Category has a purpose of designating adequate areas for industrial uses, that if properly located and regulated, are compatible with certain types of commercial activities, but generally incompatible with residential uses.

There were two plan amendments in 1998 and 1999 that changed the Industrial Land Use intensity category to Multifunctional Corridor in order to facilitate development mix of commercial, residential and park industrial. One area is located south of Los Reales/Julian Wash between Wilmot Road and Kolb Road. The other area is located south of the Southern Pacific Rail Road between Wilmot Road and Kolb Road.

Plan Tucson (2013): *Plan Tucson* includes Land Use, Transportation and Urban Design Policies which support appropriate locations for residential uses, with priority for development and redevelopment within existing urbanized areas. *Plan Tucson* promotes a mixture of commercial, office, and residential uses along major transportation corridors. Plan policies support neighborhood-related commercial and office uses accessible from adjacent neighborhoods and located at the intersections of arterial streets, arterial and collector streets, or collector streets. It also contains policies which promote redevelopment projects that reflect sensitivity to site and neighborhood conditions, and projects that stabilize and enhance the transition edge when adjacent to existing residential uses.

In *Plan Tucson*, the Future Growth Scenario Map designates the area of the amendment site as Business Centers and Existing Neighborhoods. Business Centers are major commercial or employment districts where a higher-intensity mix of jobs, services, and housing are generally appropriate along major streets. The Existing Neighborhoods Building Block are primarily developed and largely built-out residential neighborhoods where the goal is to maintain the character of these neighborhoods while accommodating some new development and redevelopment.

Major Streets and Routes Plan (1982): The Major Streets and Routes Plan (*MS&R*) purpose is to identify street classifications, the width of public rights-of-way, to designate special routes, and to guide land use decisions. The *MS&R* has two components: the map and a set of related policies. Ordinance 10392 was effective on July 7, 2007 and updated the *MS&R* map by extending the alignment of Los Reales Road as a designated arterial from Craycroft Road to Wilmot Road, with a right-of-way of 90 feet.

Public Contact: The applicant held the required neighborhood meeting on Wednesday, November 13, 2019, 5:30 – 7:00 pm, at Council Member Richard Fimbres' Ward 5 Council Office. Sixteen people signed in. Paul Oland presented an overview of the project, and outlined the process for undergoing a plan amendment and rezoning. After the presentation, questions were raised by the neighbors about the traffic on South Wilmot Road due to the recent installation of an Arizona Department of Transportation (ADOT) traffic signal. Other concerns and questions were raised regarding noise issues from Interstate-10, aircraft noise, and northern views. The applicant committed to preparing a Traffic Impact Analysis (TIA) prior to rezoning, and another neighborhood meeting as required by the rezoning process to discuss findings and solutions, as well as cross sections to demonstrate pre and post development sight lines. (*See Attachment G*)

Discussion: The issue to be considered is whether a change from Urban Industrial to Multifunctional Corridor land use is appropriate on the subject site considering issues such as existing transportation infrastructure and the proximity of the Los Reales landfill.

A primary consideration is whether residential use is compatible with the active landfill just west of the subject site. Adjacent to the plan amendment site as designated by the Los Reales PAD is a 100-foot open space buffer on the Los Reales landfill property as well as a Stormwater and Ancillary Uses District that contains the existing borrow pit and will be used for future stormwater management (*See Attachment F*). At the time of the previous plan amendment application, the PAD zoning had not yet been effectuated. The Landfill Ordinance was also adopted and incorporated into Tucson City Code after the 2003 plan amendment. In Chapter 20 Section 29-20 provides reasonable measures to protect the public's health and safety from potential adverse effects of methane gas and requires that any development within five hundred (500) feet of a landfill are required to provide certification statements and methane monitoring plans.

The proposed development would be entirely outside of the 500-foot development zone. The Environmental Services department has indicated that the revised site plan addresses the primary concerns as it relates to maximizing landfill space and keeping the 500'foot spacing/buffering between active landfill cells and any development.

The noise issue raised during the previous plan amendment review remains a concern. The developer should conduct a current noise study prior to rezoning and determine if a noise barrier is recommended for the proposed development especially in regards to the interstate and the current borrow pit operations on the landfill site.

Neighbors have reported that Wilmot Road has become more congested due to the installation of an Arizona Department of Transportation (ADOT) traffic signal at the frontage road of Interstate. The applicant, TDOT, and ADOT have had discussions regarding the traffic issues. A traffic impact analysis would be required as part of a rezoning application.

The proposed land use change from industrial to residential provides an opportunity for development that can bolster the commercial context along South Wilmot Road. The expired rezoning to C-2 is an indication that commercial use was not viable in this area. Additional residential density would provide a larger customer base to support future commercial development. Residential development along Interstate 10 is on the rise. Based on strong residential sales within the La Estancia and other nearby developments the owners of the subject property believe a regional homebuilder on this site will be able to provide a housing product that is financially attainable to a large segment of potential buyers in this housing market.

The proposed residential development meets the purpose of the Multifunctional Corridor Urban Intensity Category which designates areas for the integrated development of complementary uses along major transportation corridors. The potential integration of this

residential development and the commercially zoned property adjacent as well as the future Los Reales major streets and routes connection and Interstate 10 meet that purpose. The proposed development aligns with the Multifunctional Corridor objective which clusters residential development in a linear configuration along major transportation corridors. The residential density maximum is listed as 44 residences per acre in the Multifunctional Corridor Intensity Category. The proposed residential density would be 3 residences per acre based on the Flexible Lot Development Option A.

Conclusion: Staff recommends the Planning Commission set this item for public hearing in April. Staff will continue to review this proposal relative to existing and planned land uses, as well as feedback from the Planning Commission and the public.

Attachments:

- A: Location and Aerial Maps
- B: Current *RSSP* Map Detail #9
- C: Proposed Changes to *RSSP* Map Detail #9
- D: Existing Zoning Map
- E: Land Use Plan Policies
- F: Los Reales PAD Districts
- G: Application and Materials